

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-3305

Kasper Lamar Dobbs,

Appellant,

v.

U.S. Marshals,

Appellee.

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* Appeal from the United States
* District Court for the
* Northern District of Iowa.
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* [UNPUBLISHED]
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Submitted: July 21, 2005
Filed: July 29, 2005

Before COLLOTON, HANSEN, and BENTON, Circuit Judges.

PER CURIAM.

Kasper Dobbs appeals the district court's¹ dismissal of his Federal Tort Claims Act complaint, without prejudice, for lack of subject matter jurisdiction. Having reviewed the record de novo, see Appley Bros. v. United States, 7 F.3d 720, 722 (8th Cir. 1993), we conclude dismissal was proper given the unrefuted evidence of Dobbs's failure to exhaust administrative remedies, see Bellecourt v. United States, 994 F.2d 427, 430 (8th Cir. 1993), cert. denied, 510 U.S. 1109 (1994). Accordingly, we affirm. See 8th Cir. R. 47B. We deny all pending motions.

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.